

City Clerk File No. Ord. 15.012

Agenda No. 3.A 1st Reading

Agenda No. 4.D 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.012

TITLE:

AN ORDINANCE AMENDING CHAPTER 3, ("ADMINISTRATION OF GOVERNMENT") ARTICLE V, ("OFFICE OF THE CITY CLERK") TO INCLUDE §3-39 STANDARDS FOR NAMING STREETS AND MUNICIPALLY OWNED PROPERTY AND CHAPTER 296 ("STREETS AND SIDEWALKS") ARTICLE VI ("STREET NAME CHANGES") REPEALING SECTION 296-19 IN ITS ENTIRETY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City honors the achievements of local residents and promotes the heritage of the City through the naming, renaming or commemorative designation of streets and municipally owned property, and

WHEREAS, the City of Jersey City has established uniform criteria for the naming, renaming or commemorative designation of streets and municipally owned property; and

WHEREAS, the City of Jersey City has an interest in ensuring that the criteria for naming, renaming or commemorative designation of streets and municipally owned property be a high standard so as to protect the integrity of the City;

WHEREAS, it has become apparent that amendments to the City's street naming protocol needs to be expanded to include all and municipally owned property name protocol are necessary so as to effectuate the Ordinance's purpose.

- A. The following amendments and supplements to Chapter 3 (Administration of Government) Article V (Office of the City Clerk) are hereby adopted:

§ 3-39 Standards for naming streets and municipally-owned property

A. Definitions

"Designation" means providing an additional, commemorative name designation, subordinate to the original name designation, of a public thoroughfare over which the City has jurisdiction.

"Municipal Council Street-Name Subcommittee" means the ad hoc subcommittee charged with reviewing applications for commemorative street names and identifying a list of pre-approved names for new streets to be constructed in Jersey City.

"Municipally Owned Property" means (a) Buildings and Structures, including overpasses, bridges and viaducts and any similar structure; (b) Real Property, including open spaces and parks; and (c) Interior features of any Municipally Owned Property.

"Naming" means providing an original name designation to a municipally owned property or public thoroughfare over which the City has jurisdiction.

"Renaming" means changing an original name designation of a municipally owned property or public thoroughfare over which the City has jurisdiction to a different name.

"Streets" means any public thoroughfare over which the City has jurisdiction including, but not limited to, those public thoroughfares known as streets, avenues, lanes, and boulevards.

B. Procedure for commemorative designation of streets and municipally-owned property

1. Any person or organization seeking a commemorative street name designation shall file a street designation request form with the City Clerk. The completed form shall include the requested name to be commemorated, the reason for the commemoration, the existing street number or name, the length of the requested commemorative designation, i.e. Montgomery Street from West Side Avenue to Bergen Avenue, and the exact number of commemorative street signs to be added.

In the case of a commemorative street designation honoring an individual or an organization, all supporting documentation used to support an application to honor that individual or organization must be authenticated and must be attached to the application.

In the case of a commemorative street designation honoring an individual, the applicant seeking the commemorative designation must conduct an independent background check on the individual, if possible, before submitting a request to dedicate the street. The cost of the background check must be borne by the applicant.

2. The street dedication request form shall be accompanied by a petition signed by at least seventy-five percent of the recorded property owners on the street proposed for the commemorative designation, and should include written letters of support or recommendation from applicable community groups.

3. The City Clerk shall refer the completed street dedication request form, with completed petitions and all additional supplemental materials to the Street-Name Subcommittee which will consist of three (3) Municipal Council representatives or their designees, one (1) of whom will be the ward Councilperson in whose ward the street to be designated is located, the Director of City Planning or his or her designee, the Director of Cultural Affairs or his or her designee, the Director of Public Safety or his or her designee and the Mayor or his or her designee. The Subcommittee will meet as necessary to review commemorative street name applications. If the request is approved by the Subcommittee, the application will be brought before the Municipal Council for final approval.

4. If approved, signs identifying the commemorative name designation shall be placed underneath the primary street name sign.

C. Standards for commemorative designation

1. The authority to designate any street or municipally owned property in Jersey City shall remain solely with the Municipal Council.

2. A proposed commemorative name shall meet all applicable standards and requirements established by Sections C.2.b of this section, provided however, that if for any reason the requesting party cannot meet these standards, a letter requesting a waiver of these standards, showing a good cause justification therefore, shall be provided by the requestors.

a. A proposed commemorative street or municipally owned property designation shall:

- (1) Honor a person, organization, corporation, foundation, or similar entity that has made a significant contribution to the City of Jersey City; or
- (2) Reflect the geographic location, community, and the unique characteristics of the area or neighborhood; or
- (3) Recognize the historical significance of the area or neighborhood.

b. Requirements

The following standards shall apply to the review and approval of any proposed commemorative name:

- (1) Prospective individual honorees should have a minimum of 15 years of community involvement and should have demonstrated an extraordinary and consistent commitment and dedication to Jersey City. Prospective organizational honorees must have a minimum of 30 years of community involvement in Jersey City.
- (2) Prospective organizational honorees must be not-for-profit organizations.
- (3) If a proposed commemorative street designation will recognize a prospective individual honoree, with rare exception, the individual must have been deceased for at least three (3) years.
- (4) The Subcommittee will not consider an application to designate a street for an individual or organization already honored in a similar fashion, i.e. a person or organization having a park, monument or public building already named after him or her in Jersey City.
- (5) A person, organization, foundation, or similar entity that has made significant contributions to the State of New Jersey or to the United States may be considered, but there should be, if possible, some relevant connection to Jersey City.
- (6) The Subcommittee may deny approval of an application at its sole discretion. If an application is denied by the Subcommittee, the original applicant may not reapply on behalf of the prospective honoree for 5 years from the date of the denial.
- (7) Commemorative names should be unique, and unlikely to cause confusion or misunderstanding due to duplication of, or similarity with, an existing name, location, or other street name within Jersey City. Near duplications in spelling or street names that are phonetically similar to existing street names shall not be approved.
- (8) Street names shall not contain more than three (3) words or exceed seventeen (17) characters in length, including spaces between words and excluding the street type, i.e. "avenue" or "street".
- (9) No street can have more than two commemorative street designations.
- (10) If a portion of a street is proposed to be commemoratively designated, the designated portion shall begin and end at the intersections of major cross streets.

- (11) The cost of producing and installing appropriate signs designating the commemorative name shall be paid by the original requestors.

D. Standards for re-naming streets and municipally-owned property

The re-naming of streets and municipally owned property is discouraged and will only be allowed in exceptional circumstances and be considered within the context of the historical and or community significance of the existing name.

E. Standards for naming new streets

1. The authority for the naming new streets constructed in Jersey City shall remain solely with the Municipal Council.
2. The Street-Name Subcommittee will identify fifty (50) potential names for the pre-approved street names list. A list of suitable names will be presented to the Departments of Planning and Public Safety for review within 120 days of the adoption of this Ordinance.
3. A final list of pre-approved street names will be presented to the Municipal Council within 30 days of being reviewed by the Departments of Planning and Public Safety.
4. The pre-approved list of suitable street names will be available in the Division of City Planning. The pre-approved list will contain names that honor people who have made significant contributions to the City of Jersey City, or names which reflect the history, geographic location or unique characteristics of Jersey City. Developers building new streets are to pick from the names on this pre-approved list.
5. Individuals seeking to designate a street may, at their discretion, ask instead that the Subcommittee add the commemorative name to the list of pre-approved street names.
6. If a developer constructing a new street does not wish to pick from the list of pre-approved street names, the developer may ask the Subcommittee for a waiver to submit his or her own suggested street name(s), but the authority to name City streets shall remain with the Municipal Council and the developer's suggested name(s) must conform with the requirements of Section C of this ordinance. The Subcommittee and the Municipal Council reserve the right to reject any proposed new street name.
7. Each new street must be named by separate Ordinance and as each name is chosen from the list of pre-approved street names, that name shall be removed from the list by the City Clerk. Once a name is chosen from the pre-approved street name list, that name shall not be reused for any other street.
8. In the event that the City vacates a street and the vacated street is intended to remain, either in whole or in part, as a vehicular thoroughfare, it shall be a condition of approval that the street name be selected from the pre-approved street name list.

F. Standards for naming new municipally-owned property

1. The authority for the naming new municipally owned property constructed in Jersey City shall remain solely with the Municipal Council.
2. The City Council may choose to make its selection after receiving a written recommendation from any one of the city's advisory boards, including the Street-Name Subcommittee, or such other advisory board established for such purpose.

3. Such recommendation for naming a municipally owned property shall state how the proposed name(s) meet(s) with the criteria set forth in subsection C of this Chapter.

4. Each new municipally owned property must be named by separate Ordinance.

5. Upon approval of a name for a new municipally owned property, a copy of the Ordinance shall be forwarded to the Division of City Planning and Architecture for design of the appropriate signage and placement thereof.

- B. The following amendment to Chapter 296 (Streets and Sidewalks) Article VI (Street Name Changes) repealing Section 296-19 is hereby adopted:

§296-19 *Repealed in its entirety*

- C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- D. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This ordinance shall take effect at the time and in the manner as provided by law.
- F. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted. For purposes for advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Business Administrator

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

**AN ORDINANCE AMENDING CHAPTER 3, ("ADMINISTRATION OF GOVERNMENT") ARTICLE V, ("OFFICE OF THE CITY CLERK") TO INCLUDE §3-39 STANDARDS FOR NAMING STREETS AND MUNICIPALLY OWNED PROPERTY
and
DELETING §296-19, STREET NAME PROTOCOL FROM CHAPTER 296, ARTICLE V.**

Initiator

Department/Division	Municipal Council	
Name/Title	Joyce Watterman	Councilwoman
Phone/email	(201)-547-5134	jwatterman@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

1. Ordinance expanding the Street Naming protocol to include the naming of Municipally Owned Properties to include: (a) Buildings and Structures, including overpasses, bridges and viaducts and any similar structure; (b) Real Property, including open spaces and parks; and (c) Interior features of any Municipally Owned Property.

Ordinance to be codified in Chapter 3, Administration of Government, Article V, Office of the City Clerk.

2. Deleting subsection 296-19 Street Name Protocol from Chapter 296, Streets and Sidewalks, Article VI, Street Name Changes.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.012
TITLE: 3.A FEB 10 2015 4.D FEB 25 2015

An ordinance amending Chapter 3 ("Administration of Government") Article V, ("Office of the City Clerk") to include §3-39 standards for naming streets and municipally owned property and Chapter 296 ("Street and Sidewalks") Article VI ("Street Name Changes") repealing Section 296-19 in its entirety.

RECORD OF COUNCIL VOTE ON INTRODUCTION FEB 10 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 25 2015 9-0											
Councilperson <u>RIVERA</u>				moved, seconded by Councilperson <u>OSBORNE</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BILGER
KABILI TOYARI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 25 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

FEB 10 2015

Adopted on first reading of the Council of Jersey City, N.J. on _____

FEB 25 2015

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **FEB 25 2015**

Robert Byrne, City Clerk
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date

FEB 25 2015

APPROVED:

Steven M. Fulop, Mayor

Steven M. Fulop, Mayor

Date

FEB 27 2015

Date to Mayor

FEB 26 2015

City Clerk File No. Ord. 15.014

Agenda No. 3.C 1st Reading

Agenda No. 4.E 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.014

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE COLGATE REDEVELOPMENT PLAN TO ALTER THE HEIGHT AND OPEN SPACE OF BLOCK 14507 AND MAKE MINOR DESIGN AND REGULATION CHANGES

WHEREAS, the Local Redevelopment and Housing Law, NJSA 40A:12A-1 et seq. permits municipalities to adopt and amend regulations dealing with areas declared to be "in need of redevelopment" and "in need of rehabilitation"; and

WHEREAS, the Municipal Council of the City of Jersey City adopted a redevelopment plan for the area, now known as the Colgate Redevelopment Plan on January 26, 1989; and

WHEREAS, the Colgate Redevelopment Plan has been amended periodically since its adoption with the last amendment made on March 13, 2013; and

WHEREAS, the Municipal Council of the City of Jersey City wishes to assure continued high quality design and development within the Colgate Redevelopment Plan area; and

WHEREAS, The amendment request made by China Overseas America, INC. contains substantial design benefits for the City and the immediate Paulus Hook neighborhood; and

WHEREAS, This amendment changes the development standards of Block 14507 to allow a higher tower of up to 990 feet if there is only one tower proposed for the block. It also increases the open space requirement, mandates the wrapping of the parking garage base along Greene Street with residential liner units, and decreases the setback requirement by 5 feet along Grand Street, for Block 14507. Edits and administrative changes are also proposed; and

WHEREAS, the Planning Board of Jersey City, at its meeting of January 20, 2015, reviewed and discussed the amendment. The board unanimously recommended that the Municipal Council adopt the amendments; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the proposed Amendments to the Colgate Redevelopment Plan, dated 1/21/15, entitled Draft 4 - As Recommended by the Planning Board, attached hereto, be, and hereby is, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, PE, FAICP, Planning Director

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE COLGATE REDEVELOPMENT PLAN TO ALTER THE HEIGHT AND OPEN SPACE OF BLOCK 14507 AND MAKE MINOR DESIGN AND REGULATION CHANGES

Initiator

Department/Division	HEDC/Planning	
Name/Title	R. Cotter, Director, PP, FAICP	M. Bucci-Carter, Supervising Planner, PP, AICP
Phone/email	201-457-5050 ; bobbyc@icnj.org	201-547-4499; maryannb@icnj.org

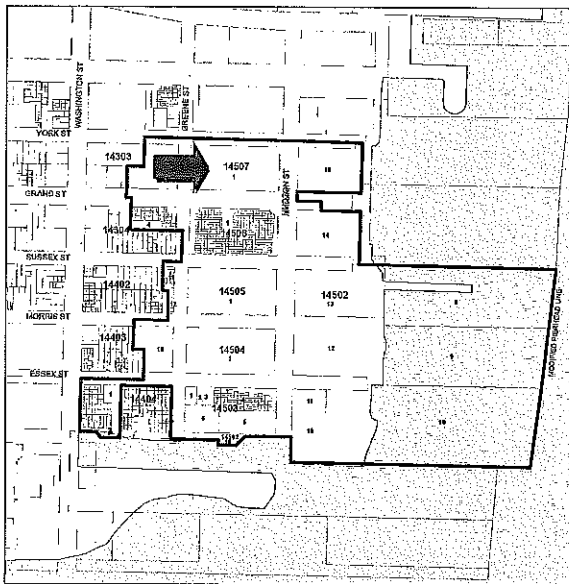
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

The purpose of this amendment is to allow a higher tower. It changes the Maximum building Height on Block 14507 from 675 feet to 990 feet. This increase has several advantages:

1. This height increase do not result in any increase in FAR (Floor Area Ratio);
2. It permits the tower to be shifter closer to the Hudson River and further away from the Historic Neighborhood of Paulus Hook;
3. It provided for a more slender building that is less bulky and preserving more views; and
4. Requires less of a base permitting the creation of increased open space at street level.

Other changes being provided along with this amendments is the creation of 8,500 sf of Publicly accessible open space, the wrapping of the Greene Street frontage with residential liner units to shield the Historic District from the Garage façade, and the incorporation of the drive-thru drop off driveway from Grand Street to York Street, taking idling trucks off the City Street and allowing for drive thru truck delivery and no back-up beeps within the residential neighborhood.



COLGATE REDEVELOPMENT PLAN AREA
BOUNDARY AND TAX MAP

I certify that all the facts presented herein are accurate.

[Signature]
Signature of Department Director

[Signature]
Date 1/23/15

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.014
TITLE: 3.C FEB 10 2015 4.E FEB 25 2015

Ordinance of the Municipal Council of the City of Jersey
City adopting amendments to the Colgate Redevelopment
Plan to alter the height and open space of Block 14507 and
make minor design and regulation changes.

RECORD OF COUNCIL VOTE ON INTRODUCTION FEB 10 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 25 2015 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 25 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on FEB 10 2015
Adopted on second and final reading after hearing on FEB 25 2015

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on FEB 25 2015

Robert Byrne, City Clerk
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date FEB 25 2015

APPROVED:

Steven M. Fulop, Mayor

Steven M. Fulop, Mayor

Date FEB 27 2015

FEB 26 2015

Date to Mayor

City Clerk File No. Ord. 15.015
Agenda No. 3.D 1st Reading
Agenda No. 4.F 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.015

TITLE: An ordinance granting permission to WILLOW AVENUE REALTY ASSOCIATES, L.P., its successors and assigns, to improve and use that approximately five (5) foot by ten (10) foot portion of the public right-of-way between the sixty (60) foot right-of-way adjacent to Morgan Street and Lot 9, Block 13002, on the official tax assessment map of the City of Jersey City for the construction of a six (6) step stoop, entrance stairway which encroaches five (5) feet onto the public right-of-way along Morgan Street.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

WHEREAS, WILLOW AVENUE REALTY ASSOCIATES L.P. (the "Petitioners") have filed a Petition with the Municipal Council of the City of Jersey City, requesting a franchise within the Morgan Street right-of-way as more particular described on the written description and sketch prepared by Caulfield Associates LLP and dated September 17, 2014 attached hereto and made a part hereof as Exhibit "A" and accompanying Metes and Bounds Descriptions prepared by Caulfield Associates LLP attached hereto and made a part hereof as Exhibit "B", said Petition and Survey being on file with the office of the City Clerk; and

WHEREAS, the Petitioners are the owners of Lot 9 in Block 13002 (the "Property"); and

WHEREAS, currently the proposed franchise area is a public sidewalk; and

WHEREAS, the Petitioners propose to construct a new three (3) story building, single family home with two (2) onsite parking spaces (the "Project") which is as of right and requires no site plan approvals or variances from the Jersey City Municipal Ordinance; and

WHEREAS, the franchise area would allow for the construction of a six (6) step stoop, entrance stairway which will be 5' in length x 9.4' in width; and

WHEREAS, the area in question is located between the sixty (60) foot right-of-way adjacent to Morgan Street and Lot 9, Block 13002 on a currently existing fifteen (15) foot public sidewalk. In order to construct the construction the six (6) step stoop, entrance stairway, the Petitioners request permission to use the approximately five (5) foot by ten (10) foot portion of existing fifteen (15) foot public sidewalk along Morgan Street and adjacent to Lot 9 Block 13002; and

WHEREAS, Petitioners, their successors and assigns, have made application to the Municipal Council of the City of Jersey City by written Petition for the franchise herein referred to:

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

SECTION 1: Permission is hereby granted to Petitioners, their heirs and successors, to construct a six (6) step stoop, entrance stairway which will be 5' in length by 9.33' in width in the existing fifteen (15) foot public sidewalk as more particularly delineated in Exhibit A along Second Street adjacent to Lot 9 Block 13002.

SECTION 2: This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. In the event that the Municipal Council determines that this Ordinance must be

canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioner one year prior to the date of cancellation.

SECTION 3: Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approval shall not be unreasonably withheld, shall Petitioners have the right to assign or otherwise transfer their rights under this Franchise Ordinance.

SECTION 4: In accepting the privileges under this ordinance and in the maintenance and the use herein authorized, Petitioners, their successors and/or assigns shall agree to assume full, complete, and undivided responsibility for any and all injury and damages to persons or property by reason of such maintenance and use and to indemnify and hold the City of Jersey City harmless from any injury or damage to persons or property by reason of such maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance.

a) Petitioners, their successors and/or assigns, shall maintain in effect, during the term of this franchise, a General Liability Insurance Policy naming the City of Jersey, its officers and employees as additional insured, covering the use and occupancy of the franchise portion of Morgan Street. A Certificate of Insurance, in the amount of \$2,000,000.00, or in such amount and type as the City's Risk Manager may reasonably require from time to time during the term of this franchise, and in a form deemed acceptable by the City's Risk Manager, shall be delivered to the City's Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance commences.

SECTION 5: After construction, there shall remain no damage to the area or interference with the free and safe flow of pedestrians. The Petitioners shall maintain all improvements installed by them for the entire term of the franchise at no cost to the City of Jersey City.

SECTION 6: The costs and expenses incidental to the introduction, passage and publication of this Ordinance shall be paid by the Petitioners.

SECTION 7: The Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioners with the City Clerk.

SECTION 8: In the event that the Petitioners shall not file with the City Clerk, their acceptance, in writing, of the provisions of this Ordinance within thirty (30) days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

SECTION 9: For the Franchise herein granted, the Petitioners shall pay annually to the City of Jersey City the sum of ONE DOLLAR (\$1.00), which payment shall be made in advance to the City Finance Director, at his/her office in City Hall, on the first day of January in each year after this Ordinance becomes effective and remains in force.

SECTION 10: This Franchise Ordinance shall be subject to the following conditions:

- a) An easement upon the portion of the Property subject to this Franchise Ordinance is hereby reserved for the benefit of the City of Jersey City and all public utility companies for the benefit of the City of Jersey City and all public utility companies for the purpose operating, maintaining, inspecting, protecting, repairing, replacing or reconstructing any existing water, sewer or utility lines together with the right of ingress and egress at all times for such purposes and all other purposes in connection with or in any way relating to the City of Jersey City's, or public utility companies', use or operation of water, sewer or utility lines.
- b) No building or structure of any kind may be construed over the water or sewer utilities within the area subject to this franchise without the consent of the Chief Engineer of the City of Jersey City.

- c) The Petitioners shall construct a six (6) step stoop, entrance stairway which will be 5' in length x 9.33' in width in the existing fifteen (15) foot public sidewalk as more particularly delineated in Exhibit A along Second Street adjacent to Lot 9 Block 13002.
- A. All Ordinances and parts of Ordinance inconsistent herewith are hereby repealed.
- B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This Ordinance shall take effect at the same time and in the manners provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of the existing provisions.

NOTE: All new material is underlined. Words in [brackets] are omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Business Administrator

P.L. CAULFIELD, JR.
N.J. LIC. NO. 16757

JOSEPH T. CAULFIELD
N.J. LIC. NO. 37579

CAULFIELD ASSOCIATES, LLP.

PROFESSIONAL LAND SURVEYOR
132 MADISON STREET
HOBOKEN, N.J. 07030

TELEPHONE (201) 792-0445
FAX (201) 792-7714

JOB NO.

FRANCHISE EASEMENT FRONTING PROPERTY AT 133.5 MORGAN STREET

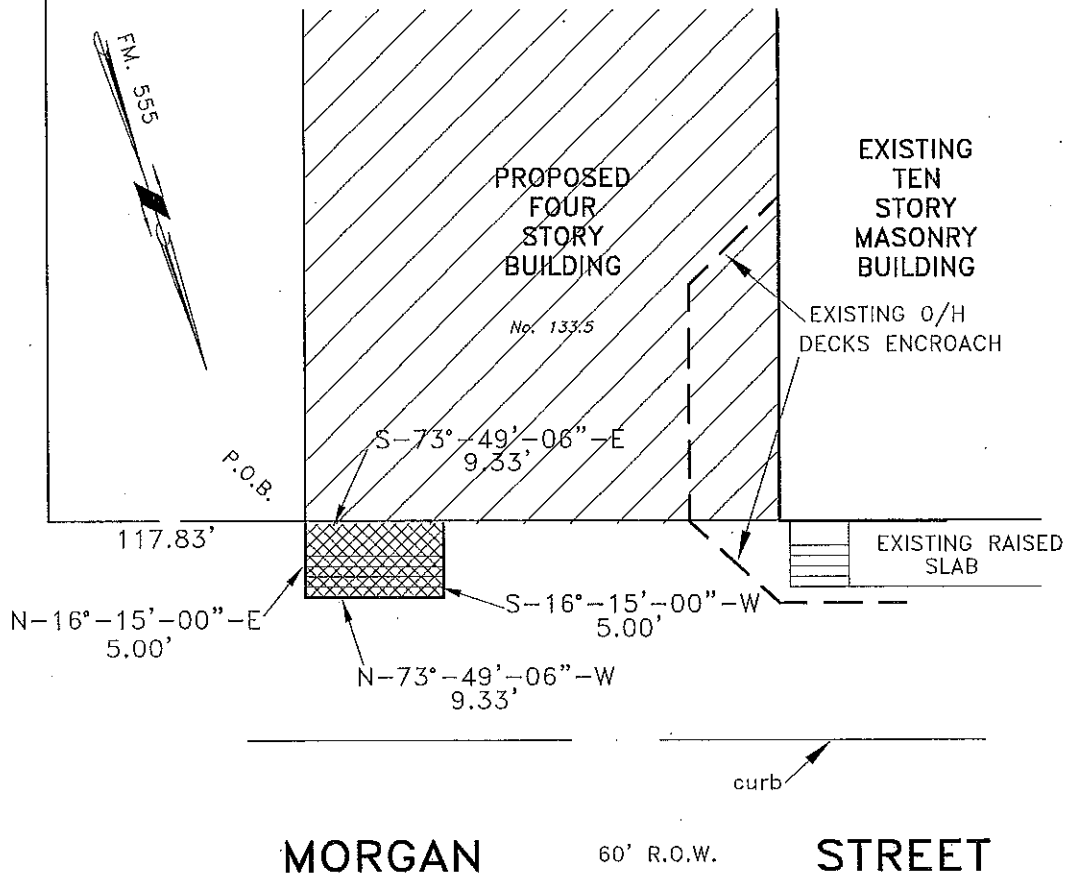
BEGINNING AT A POINT IN THE SOUTHERLY LINE OF MORGAN STREET, A DISTANCE OF 117.83 FEET WESTERLY FROM ITS INTERSECTION WITH THE WESTERLY LINE OF WARREN STREET, RUNNING THENCE:

1. N-16°-15'-00"-E AND ONTO THE R.O.W. OF MORGAN STREET, A DISTANCE OF 5.00 FEET TO A POINT, THENCE
2. N-73°-49'-06"-W AND CONTINUING ALONG THE R.O.W. OF MORGAN STREET, A DISTANCE OF 9.33 FEET TO A POINT, THENCE
3. S-16°-15'-00"-W A DISTANCE OF 5.00 FEET TO A POINT IN THE WESTERLY LINE OF GARDEN STREET, THENCE
4. S-73°-49'-06"-E ALONG THE WESTERLY LINE OF MORGAN STREET, A DISTANCE OF 9.33 FEET TO A POINT, SAID POINT OR PLACE OF BEGINNING

KNOWN AS FRONTING LOT 9 IN BLOCK 13002 (FORMERLY KNOWN AS BLOCK 139, LOT 24) ALONG MORGAN STREET, COMMONLY KNOWN AS 133.5 MORGAN STREET, JERSEY CITY, NJ. EASEMENT INCLUDES STAIRS ALONG MORGAN STREET, SAID FRANCHISE ORDINANCE AREA IS 46.6 SQ. FT.

STREET

WARREN



PROPOSED SKETCH FRONTING PROPERTY

LOCATED AT
133.5 MORGAN STREET
JERSEY CITY, HUDSON CO., N.J.
.....

BLOCK 13002

LOT 9

DATE SEPTEMBER 17, 2014

SCALE 1 INCH = 10 FEET

A written "Waiver and Direction Not to Set Corner Markers," has been obtained from the ultimate user pursuant to P.L. 2003, c.14 (N.J.S.A. 46:8-36.3) and N.J.A.C. 13:40-5.1(d).

THIS SURVEY IS NOT TO BE USED AS A BASIS FOR ANY CONSTRUCTION. IT IS SUBJECT TO THE FACTS REVEALED BY AN ACCURATE AND COMPLETE TITLE SEARCH. THE CERTIFICATION IS MADE ONLY TO THE PARTIES NAMED HEREON, AND IS NONTRANSFERABLE. BEARINGS ARE RELATIVE.

P.L. CAULFIELD, JR.
PROF. LAND SURVEYOR
N.J. LIC. NO. 16757

PETITION

TO: THE HONORABLE MAYOR AND MUNICIPAL
COUNCIL OF THE CITY OF JERSEY CITY

Your petitioner, Willow Avenue Realty Associates, L.P. (the "Petitioner"), being the owner of 133.5 Morgan Street, Jersey City, New Jersey, their successors and assigns, having offices at 47 Mill Road, Jersey City, New Jersey, 07302:

1. The Petitioner owns the real property in the City of Jersey City as follows:

Block: 13002, Lot: 9

Known as 133.5 Morgan Street, Jersey City, New Jersey (the "Property").

2. A new three (3) story building, single family home with two (2) onsite parking spaces (the "Project") is currently being developed on the Property.

3. The Project is as of right and requires no site plan approvals or variances from the Jersey City Municipal Ordinance.

4. In connection with the development of the Project, the Petitioner proposes to construct a six (6) step stoop, entrance stairway which will be 5' in length x 9.33' in width in an existing fifteen (15) foot public sidewalk (the "Improvement"). The Improvement will be located within the Morgan Street right-of-way and is located as more particularly described in the survey prepared by Caulfield Associates LLP and dated September 17, 2014 attached hereto and made a part hereof as Exhibit "A" and accompanying Metes and Bounds Descriptions prepared by Caulfield Associates LLP attached hereto and made a part hereof as Exhibit "B", (the "Franchise Area"). Petitioner requests permission to use the Franchise Area to construct and maintain the Improvement.

WHEREFORE, Petitioners respectfully request for themselves, their successors and assigns, permission to use the Franchise Area within the Second Street right-of-way as more particularly described on the survey prepared by Caulfield Associates LLP and dated September 17, 2014 attached hereto and made a part hereof as Exhibit A.

Willow Avenue Realty Associates, L.P.

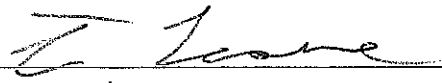

By: Tom Leane, Esq.
Title: Authorized Signatory
Date: October 20, 2014

EXHIBIT A

EXHIBIT B



CAULFIELD ASSOCIATES, LLP.

PROFESSIONAL LAND SURVEYORS

132 MADISON STREET
HOBOKEN, NEW JERSEY 07030

Telephone: (201) 792-0445

FAX: (201) 792-7714

www.surveymnj.com

FRANCHISE EASEMENT FRONTING PROPERTY AT 133.5 MORGAN STREET, JERSEY CITY, NEW JERSEY.

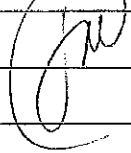
Beginning at a point in the southerly line of Morgan Street, a distance of 117.83 feet westerly from its intersection with the westerly line of Warren Street, and running, thence

1. N-16°-15'-00"-E, and onto the R.O.W. of Morgan Street, a distance of 5.00 feet to a point, thence
2. N-73°-49'-06"-W, and continuing along the R.O.W. of Morgan Street, a distance of 9.33 feet to a point, thence
3. S-16°-15'-00"-W, a distance of 5.00 feet to a point in the westerly line of Morgan Street, thence
4. S-73°-49'-06"-E, along the westerly line of Morgan Street, a distance of 9.33 feet to a point, said point or place of beginning

Known as fronting Lot 9, Block 13002 (formerly known as Block 139, Lot24) along Morgan Street, commonly known as 133.5 Morgan Street, Jersey City, New Jersey. Easement includes stairs along Morgan Street, said Franchise Ordinance area is 46,6 Sq. Ft.



City Council Replacement Cover Sheet

Submitted By	Joanne Monahan 
Department	Law
Date Submitted	2/10/15
Pls. note Revisions and Page Number	Page 2 - Section 4: a) -
	"or in such type as the City's Risk Manager ...
	... during the term of this franchise",

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.015

TITLE: 3.D FEB 10 2015 4.F FEB 25 2015

An ordinance granting permission to Willow Avenue Realty Associates, L.P., its successors and assigns, to improve and use that approximately five (5) foot by ten (10) foot portion of the public right-of-way between the sixty (60) foot right-of-way adjacent to Morgan Street and Lot 9, Block 13002, on the official tax assessment map of the City of Jersey City for the construction of a six (6) step stoop, entrance stairway which encroaches five (5) feet onto the public right-of-way along Morgan Street. (Franchise Ordinance)

RECORD OF COUNCIL VOTE ON INTRODUCTION FEB 10 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 25 2015 8-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	ABSENT			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 25 2015											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on FEB 10 2015
 Adopted on second and final reading after hearing on FEB 25 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 25 2015

 Robert Byrne, City Clerk

*Amendment(s):

APPROVED:
 Rolando R. Lavarro, Jr., Council President
 Date FEB 25 2015

APPROVED:
 Steven M. Fulop, Mayor
 Date FEB 27 2015
 Date to Mayor FEB 26 2015